

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

		Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet)
Applicant's or agent's file reference see form PCT/ISA/220		FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/GB2006/050046	International filing date (day/month/year) 03.03.2006	Priority date (day/month/year) 09.03.2005
International Patent Classification (IPC) or both national classification and IPC INV. F41J9/10 F16G11/00		
Applicant SELEX SENSORS AND AIRBORNE SYSTEMS LIMITED		

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Date of completion of this opinion See form PCT/ISA/210	Authorized Officer Das Neves, N Telephone No. +31 70 340-4879
--	--	---



**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/GB2006/050046

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:
 the international application in the language in which it was filed
 a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 a sequence listing
 table(s) related to the sequence listing
 - b. format of material:
 on paper
 in electronic form
 - c. time of filing/furnishing:
 contained in the international application as filed.
 filed together with the international application in electronic form.
 furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/GB2006/050046

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes:	Claims	3-7,9
	No:	Claims	1,2,8
Inventive step (IS)	Yes:	Claims	4,6,7
	No:	Claims	1-3,5,8,9
Industrial applicability (IA)	Yes:	Claims	1-9
	No:	Claims	

2. Citations and explanations

see separate sheet

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.
PCT/GB2006/050046

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1 Reference is made to the following documents:

- D1: US-A-3 541 964 (ARNEY J. HARBERT) 24 November 1970 (1970-11-24)
- D2: US-A-4 195 798 (CARROLL, D ET AL) 1 April 1980 (1980-04-01)
- D3: FR-A-2 103 253 (LIENART JEAN PIERRE) 7 April 1972 (1972-04-07)
- D4: US-A-3 128 463 (HOPPER ROBERT J) 7 April 1964 (1964-04-07)
- D5: US-A-5 024 548 (TIMMINGTON ET AL) 18 June 1991 (1991-06-18)
- D6: US-A-3 490 799 (THOMAS F. SHREEVE) 20 January 1970 (1970-01-20)

2 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

2.1 The document D1 discloses (the references in parentheses applying to this document):

2.1.1 A *tow cable* termination (the fact that the cable is a *tow cable* is not considered as a limiting feature) *suitable* for sustaining the tensile load when an object is towed at high speeds at the end of a cable, the termination comprising a closed eye bolt (28) attached to the cable (23) and a U-bolt (32) looped through the eye bolt (28) and attached to the object (34).

3 Dependent claims 2, 3, 5, 8 and 9 do not contain any features which, in combination with the features of any claim to which they refer (except claims 5, 8 and 9 when dependent on claim 4), meet the requirements of the PCT in respect of novelty and/or inventive step either because the additional features of these claims are also disclosed for similar cable terminations (see documents D1-D3 and the corresponding passages cited in the search report) or because they relate to simple constructional details that the skilled person would normally contemplate without the exercise of any inventive activity.

4 The combination of the features of dependent claim 4, 6 and 7 is neither known from, nor rendered obvious by, the available prior art.

Re Item VII

Certain defects in the international application

- 5 Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the document D1 is not mentioned in the description, nor is this document identified therein.
- 6 Independent claim 1 is not in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would be appropriate, with those features known in combination from the prior art (document D1) being placed in the preamble (Rule 6.3(b)(I) PCT) and with the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).
- 7 The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).

Re Item VIII

Certain observations on the international application

- 8 The application does not meet the requirements of Article 6 PCT, because claims 1-2, 4-8 are not clear. The reasons therefor are the following:
 - 8.1 In these claims, it is not clear what is part of the subject-matter of the application as some features of the cable termination are being defined relatively to another object, in this case "*the attached object*".